



Reprinted
February 3, 2009

HOUSE BILL No. 1033

DIGEST OF HB 1033 (Updated February 2, 2009 3:27 pm - DI 103)

Citations Affected: IC 15-11.

Synopsis: Livestock waste treatment systems. Requires the department of agriculture (department) to explore the use of livestock waste treatment systems to minimize air emissions, ensure water quality standards are met, and generate renewable energy as an economic development tool. Requires the department to conduct a statewide evaluation the potential energy generation of certain systems using the protocol developed by the United States Environmental Protection Agency AgSTAR Program. Requires the department to submit an electric report on the statewide evaluation to the members of specified standing committees and the legislative council.

Effective: July 1, 2009.

Grubb, Koch, Davis, Knollman

January 7, 2009, read first time and referred to Committee on Agriculture and Rural Development.
January 29, 2009, amended, reported — Do Pass.
February 2, 2009, read second time, amended, ordered engrossed.

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HB 1033—LS 6234/DI 103+



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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1033

A BILL FOR AN ACT to amend the Indiana Code concerning
agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 15-11-2-3, AS ADDED BY P.L.120-2008,
2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 3. The department shall do the following:

4 (1) Provide administrative and staff support for the following:

5 (A) The state fair board for purposes of carrying out the
6 director's duties under IC 15-13-5.

7 (B) The Indiana corn marketing council for purposes of
8 administering the duties of the director under IC 15-15-12.

9 (C) The Indiana organic peer review panel under IC 15-15-8.

10 (D) The Indiana dairy industry development board for
11 purposes of administering the duties of the director under
12 IC 15-18-5.

13 (E) The Indiana land resources council under IC 15-12-5.

14 (F) The Indiana grain buyers and warehouse licensing agency
15 under IC 26-3-7.

16 (G) The Indiana grain indemnity corporation under IC 26-4-3.

17 (H) The division.

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- (1) The E85 fueling station grant program under IC 15-11-11.
- (2) Administer the election of state fair board members under IC 15-13-5.
- (3) Administer state programs and laws promoting agricultural trade.
- (4) Administer state livestock or agriculture marketing grant programs.
- (5) Administer economic development efforts for agriculture by doing the following:
- (A) Promoting value added agricultural resources.
 - (B) Marketing Indiana agriculture to businesses internationally.
 - (C) Assisting Indiana agricultural businesses with developing partnerships with the Indiana economic development corporation.
 - (D) Soliciting private funding for selective economic development and trade initiatives.
 - (E) Providing for the orderly economic development and growth of Indiana's agricultural economy.
 - (F) Exploring the use of livestock waste treatment systems to:**
 - (i) minimize air emissions of livestock waste;**
 - (ii) ensure that water quality standards are met; and**
 - (iii) generate renewable energy.**
- (6) Conduct a statewide evaluation of the potential for energy generation from the installation and use of anaerobic digestion systems, gasification systems, and algae production systems at concentrated animal feeding operations (as set forth in 40 CFR 122.23), confined feeding operations (as defined by IC 13-11-2-40), and wastewater treatment plants (as defined by IC 13-11-2-258) using the protocol developed by the United States Environmental Protection Agency AgSTAR Program. Not later than November 1 of each year, the department shall submit a report in an electronic format under IC 5-14-6 on its findings under this subdivision to the following:**
- (A) The members of a senate standing committee selected by the president pro tempore of the senate. In selecting a standing committee under this clause, the president pro tempore shall determine which standing committee of the senate has subject matter jurisdiction that most closely relates to the electricity, gas, and energy policy jurisdiction**

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1 of the regulatory flexibility committee.
2 (B) The members of a house standing committee selected
3 by the speaker of the house of representatives. In selecting
4 a standing committee under this clause, the speaker shall
5 determine which standing committee of the house of
6 representatives has subject matter jurisdiction that most
7 closely relates to the electricity, gas, and energy policy
8 jurisdiction of the regulatory flexibility committee.
9 (C) The members of the legislative council established by
10 IC 2-5-1.1-1.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1033, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 13, after "IC 15-11-2-3(6)" insert "**and gasification and algae production systems for the conversion of livestock waste to renewable energy**".

Page 2, line 33, delete "anaerobic digestion" insert "**treatment systems to:**

- (i) **minimize air emissions of livestock waste;**
- (ii) **ensure that water quality standards are met; and**
- (iii) **generate renewable energy.**".

Page 2, delete line 34.

Page 2, line 35, delete "livestock waste" and insert "**the potential for energy generation from the installation and use of**".

Page 2, line 36, after "systems" insert "**, gasification systems, and algae production systems at concentrated animal feeding operations (as set forth in 40 CFR 122.23), confined feeding operations (as defined by IC 13-11-2-40), and wastewater treatment plants (as defined by IC 13-11-2-258)**".

and when so amended that said bill do pass.

(Reference is to HB 1033 as introduced.)

PFLUM, Chair

Committee Vote: yeas 12, nays 0.

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1033 be amended to read as follows:

Page 1, delete lines 1 through 14.

Page 3, line 5, after "Program." insert "**Not later than November 1 of each year, the department shall submit a report in an electronic format under IC 5-14-6 on its findings under this subdivision to the following:**

- (A) **The members of a senate standing committee selected by the president pro tempore of the senate. In selecting a standing committee under this clause, the president pro**

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tempore shall determine which standing committee of the senate has subject matter jurisdiction that most closely relates to the electricity, gas, and energy policy jurisdiction of the regulatory flexibility committee.

(B) The members of a house standing committee selected by the speaker of the house of representatives. In selecting a standing committee under this clause, the speaker shall determine which standing committee of the house of representatives has subject matter jurisdiction that most closely relates to the electricity, gas, and energy policy jurisdiction of the regulatory flexibility committee.

(C) The members of the legislative council established by IC 2-5-1.1-1."

Renumber all SECTIONS consecutively.

(Reference is to HB 1033 as printed January 30, 2009.)

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